

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF IOWA  
EASTERN DIVISION

MINNESOTA LIFE INS. CO.,	)	
	)	
Interpleader,	)	No. 13 cv 2068 EJM
vs.	)	
	)	ORDER
ANDREA CARADINE, et al.,	)	
	)	
Claimants.	)	

This matter is before the court on Minnesota Life Insurance Company's (MLIC) unresisted motions to deposit funds, for attorney fees, and to dismiss it with prejudice. Granted, except not with prejudice. Claimants' claims referred to magistrate judge.

This is an Interpleader action under Rule 22 F.R.Civ.P., with jurisdiction under 28 U.S.C. §1335(a).

MLIC issued a group life insurance policy to Deere & Co. which insured the life of its employee James A. Caradine (Decedent). MLIC is a disinterested stakeholder and seeks to deposit the net proceeds of the policy into court, be paid its attorney fees for filing and serving the complaint, and then dismissed. Underwriters at Lloyd's v. Nichols, 363 F.2d 357 (8<sup>th</sup> Cir. 1966). The attorney fees and costs sought, \$3,891.60, appear reasonable.

Substantively, the Decedent allegedly signed a Beneficiary Designation on June 23, 2013, four days before he died. The adverse claims to the net proceeds of the policy turn on whether this Designation was valid.

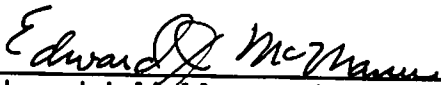
It is therefore

ORDERED

MLIC shall pay over to the Clerk of the Court the proceeds of the life insurance policy, \$65,059.64, less previously paid funeral expenses and attorney fees and costs, for a net of \$48,811.29, plus interest, and thereafter is dismissed.

This matter is referred to the Magistrate Judge for a Report and Recommendation pursuant to 28 U.S.C. § 636 on the question whether the June 23, 2013, Beneficiary Designation was valid.

June 27, 2014

  
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Edward J. McManus, Judge  
UNITED STATES DISTRICT COURT